

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE: WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION
-----X

Master Docket No.:
21MC102 (AKH)

This matter relates to:

JAN SALWA

Docket No.:
08-CV-2707 (AKH)

-----X
**DECLARATION IN RESPONSE TO THIS COURT'S
ORDER TO SHOW CAUSE OF JUNE 12, 2012**

CHRISTOPHER R. LOPALO, an attorney duly licensed to practice before the Courts of the State of New York and a Member of the Bar of this Honorable Court hereby declares under penalty of perjury:

1. I am associated with the law firm Worby Groner Edelman & Napoli Bern, LLP ("WGENB") and I respectfully submit this Declaration in response to this Court's June 12, 2012 Order To Show Cause.

2. Worby Groner Edelman & Napoli Bern, LLP represented Plaintiff Jan Salwa in his *In re: World Trade Center Lower Manhattan Disaster Site Litigation* claim before this Court under Master Docket no.: 21-MC-102 (AKH) (his individual docket number is 08-CV-2707 (AKH)).

3. On December 17, 2007 Mr. Salwa executed a Power of Attorney, before a notary public, appointing Worby Groner Edelman & Napoli Bern, LLP as his "attorneys in fact" and authorized Worby Groner Edelman & Napoli Bern, LLP to execute HIPAA medical record authorization forms pursuant to NY Public Health Law §18(1)(g), as amended October 26, 2004. A true and correct copy of the Power of Attorney is attached hereto as Exhibit "1".

4. Mr. Salwa passed away on June 4, 2009 in Poland. A true and correct copy of Mr. Salwa's death certificate is attached hereto as Exhibit "2".

5. Attached hereto as Exhibit “3” is a true and correct copy of a Personal Representative Document issued in Poland, where Mr. Salwa died and where his Estate was probated and where Irena Salwa, his surviving wife and Personal Representative continues to reside.

6. Attached hereto as Exhibit “4” is an affidavit of Marta Grzesczyk. Ms. Grzescyk is a paralegal employed by Worby Groner Edelman & Napoli Bern, LLP who is fluent in Polish.

7. Upon information and belief, the Personal Representative Document provides Jan Salwa’s widow, Irena Salwa, the authority to prosecute Jan Salwa’s *In re: World Trade Center* case still pending in the USA. Upon information and belief, as Personal Representative of Jan Salwa’s Estate, Mrs. Salwa also has the authority to collect any proceeds the case may generate in terms of settlement or verdict.

8. As a result of Mr. Salwa’s death in 2009 he obviously could not certify his updated discovery responses in 2011. Accordingly, such discovery responses were certified by Irena Salwa, as the Personal Representative of the Estate of Jan Salwa.

9. Irena Salwa has signed documents related to this litigation without a single objection by any party.

10. Not one party, prior to this date, has ever filed a suggestion of death pursuant to Rule 25 (a) of the Federal Rules of Civil Procedure on the record.

Dated: New York, New York
June 24, 2012

/s/ Christopher R. LoPalo
Christopher R. LoPalo (CL-6466)

Worby Groner Edelman & Napoli Bern, LLP
350 Fifth Avenue, Suite 7413
New York, New York 10118
(212) 267-3700